

In the Specification

- ✓ Page 20, line 4, please replace "Figures" with - - Figure--.
- ✓ Page 20, line 5, please delete "and 12, respectively".
- ✓ Page 20, lines 5-7, please replace "562" with - - 563--.
- ✓ Page 20, line 9, please replace "11" with - - 12--.
- ✓ Page 20, line 10, please delete "572."

REMARKS

The December 28, 1999 Office Action rejected claims 1-22 pending in the application. The present Amendment and Response cancels claims 6, 8, 9, 13, 14, 16 and 20-22 without prejudice or disclaimer to clarify the invention and integrate the subject matter. The present Amendment corrects Figures 9, 11 and 12, amends claims 1, 2, 4, 5, 10-12, 15 and 17-19, and presents new claims 23-47 for consideration. After entry of the foregoing amendments, claims 1-5, 7, 10-12, 15, 17-19 and 23-47, which include 5 independent claims and 38 total claims, remain pending in the application. In view of the foregoing amendments and following remarks, reconsideration of the application is respectfully requested.

Claims 1-22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Spievack et al., U.S. patent 5,871,484, issued February 16, 1999 ("Spievack"). Applicants respectfully traverse this rejection.

To encourage timely prosecution, Applicant submits the enclosed amendments and remarks. Applicant expressly reserves the right to pursue the subject matter of the present application in conjunction with the present or one or more related applications.

Generally, Spievack discloses a bone fastener device adapted to deliver biologically active substances (e.g., therapeutic drugs, such as antibiotics, analgesics, bone morphogenic

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